REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested. Claims 1-21 are pending in the present application.

In the outstanding Office Action, Claims 1-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hundermer (U.S. Patent No. 6,987,734) in view of Miyamoto (U.S. Patent No. 6,414,954).

Claim 1 recites: a network interface connectable to a packet-based data network on which a plurality of different types of payload data are distinguished by network-based packet header data; said network interface comprising:

> a plurality of data handling nodes; and
> a routing arrangement responsive to a packet identifier for routing data packets between said data handling nodes;
> in which:
> one of said data handling nodes is a network processor for receiving data packets from and transmitting data packets to said packet-based network; said network processor being operable:
> a) in the case of a data packet received from said data network, to detect a type of payload data from said network-based packet header data; to remove said network-based packet header data from said packet; and to associate with said packet an identifier which specifies a route across said routing arrangement to a target data handling node and a data handling operation to be carried out by said target data handling node; and
> b) in the case of a data packet received from another data handling node and having an associated packet identifier, to detect a type of payload data from said packet identifier; to remove said packet identifier; to apply network-based packet header data in dependence on said packet identifier; and to launch said data packet onto said network.

Regarding the rejection of Claim 1, the outstanding Office Action cited router 42 of Hundermer as corresponding to the Claim 1 recited "one of said data handling nodes is a network processor for receiving data packets from and transmitting data packets to said packet-based network." Further, routing table 44 as found within the router of Hundermer is

cited as corresponding to the claimed routing arrangement.[1] Applicant respectfully traverses the interpretation and the rejection.

In order to compare the above interpretation of Hundermer to the claimed invention, the network processor of the claimed invention would necessarily have to ***contain*** the routing arrangement of the claimed invention. However, this is not the case in Claim 1, and there is no technical basis for this assertion, since the next claimed feature states that the network processor receives a data packet from the network, which would means that the network processor (cited as Hundermer router 42) passes data packets to the routing arrangement (cited as Hundermer internal routing table 44) only to then receive the data packets back as the addressee. Therefore, Hundermer cannot provide the function provided by the device recited in Claim 1.

Further, Hundermer describes that router 42 routes Internet traffic to and from the public Internet 16 and other connected sources and destinations based upon a routing table 44 internal to router 42. According to Hundermer, router 42 is of a configuration that is known throughout the public Internet 16, which is widely populated with routers that route packets in accordance with the Internet protocol (IP) based upon routing tables. However, Hundermer does not describe that router 42 is a data handling node that can be reasonably interpreted to be a network processor for receiving data packets from and transmitting data packets to a packet-based network. Therefore, for all of the above reasons, Hundermer does not teach or suggest "a network interface," as defined in Claim 1, and Miyamoto does not cure this deficiency.

The outstanding Office Action further asserts that Hundermer determines the type of data and how it is to be processed (Col 7, lines 1-19) and that Internet content has been selected and requested for delivery by clients (col 7, lines 26-40. The Office Action cites the

[1] See Hundermer figure 2 and Col. 6, line 62.

above as corresponding to the Claim 1 feature "a) in the case of a data packet received from the data network, to detect the type of payload data from the network-based packet header data; to remove the network-based packet header data from the packet; and to associate with the packet an identifier which specifies a route across the routing arrangement to a target data handling node and a data handling operation to be carried out by the target data handling node."

As noted in the outstanding Office Action, in the response filed November 21, 2007, we respectfully argued in detail that Hundemer must carry packets comprising network routing information and an identifier for the target PC, since there may be many recipients of a broadcast from transmitter 18-1 of which only one is the target PC. Therefore no component prior to the transmitter 18-1 can remove the network based packet header from the packet.

With respect to the current art rejection, this conclusion also applies to router 42 of Hundemer. See column 6, lines 60 to 62 of Hundemer, and as noted above, "router 42 routes Internet traffic to and from the public internet and other connected sources and destinations based upon routing table 44 internal to router 42." Internet traffic necessarily comprises network-based packet headers. Therefore, no teaching to the contrary can be reasonably applied by a person skilled in the art, including any teaching by additional citation Miyamoto.

The outstanding Office Action cites the header and a payload of data, described in col 9, lines 1-19 of Hundermer as corresponding to the Claim 1 feature "b) in the case of a data packet received from another data handling node and having an associated packet identifier, to detect a type of payload data from said packet identifier; to remove said packet identifier; to apply network-based packet header data in dependence on said packet identifier; and to launch said data packet onto said network." Again, as noted by the outstanding Office Action, this claim feature relates to launching packets onto a network.

The only corresponding component in Hundemer that launches packets onto a network is the client PC, via a conventional internet link such as a dial-up connection. However, router 42 of Hundemer does not have this functionality. Further, router 42 does not apply a network-based packet header, as claimed, since packets must already have such headers in order to reach router 42 in the first place (see again Col. 6, lines 60-63). Thus, there is no technical basis for router 42 to have this feature.

Additionally, as noted in our previous response, neither Hundemer nor previous citation Takase disclose packet header data being applied in dependence upon packet identifiers.

Therefore it appears that at least the following features are not disclosed for router 42 of Hundemer: "to detect a type of payload data from said packet identifier," "to remove said packet identifier," "to apply network-based packet header data in dependence on said packet identifier," and "to launch said data packet onto said network."

Further, the outstanding Office Action concedes that Hundemer does not teach that the router 42 is used "to remove said network-based packet header data from said packet," and "to remove said packet identifier," and relies on Miyamoto to overcome this deficiency.

The Office Action argues that Miyamoto describes the removal of a network-based packet header. However, Miyamoto discloses a picture processing system in a television (col 1, line 13) that receives digital broadcasts. In so doing, the processing system in Miyamoto strips out packet header information and monitors changes in packet information data. However, any processing or dismantling of received packets that it performs can be done with impunity, as there is no intent to pass such packets on to a further destination in Miyamoto. Indeed, most if not all client devices dismantle packets to obtain payload and control data as they are the intended recipients of it.

A person skilled in the art will appreciate that, by contrast, operations of such a client device are not necessarily applicable to a device such as the router 42 of Hundemer. If a router removed network packet headers in the same manner as Miyamoto's television, it would immediately cease to function as a router. Thus, as suggested above, there is no technical basis for applying the teachings of Miyamoto to the router 42 of Hundemer, as it only serves to break the router in the Hundemer system.

Accordingly, given the system of Hundemer, one of ordinary skill would not consider breaking its central router (and hence the system as a whole) simply to incorporate packet-stripping components of a television, as this would make the device described by the primary reference unsuitable for its intended purpose. As held in *In re Gordon*, if proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Thus, it is respectfully submitted there is no suggestion or motivation to make the proposed modification in the outstanding Office Action. See MPEP §2143.01.

Therefore, neither Hundemer or Miyamoto teach or suggest at least the claimed features of a router or any other device that launches packets onto a network, nor that applies packet based headers or that it applies such headers in dependence upon packet identifiers.

Consequently, as Hundemer and Miyamoto do not teach or suggest all the elements of Claim 1, and there is no suggestion or motivation to make the proposed combination, Claim 1 (and Claims 2-16 dependent therefrom) is patentable over Hundemer in view of Miyamoto for all of the above reasons.

Regarding the rejection of Claim 17, Claim 17 recites features similar to Claim 1, however Claim 17 is a method claim. Accordingly, just as Hundemer and Miyamoto do not disclose or suggest all of the elements in Claim 1, similarly, Hundemer and Miyamoto do not

disclose or suggest all of the elements in Claim 17. Accordingly, it is respectfully submitted that Hundemer and Miyamoto do not anticipate or make obvious the features of Claim 17. Therefore, Claim 17 (and Claims 18-21 dependent therefrom) is believed to patentably define over this applied art.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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